

MINUTES OF THE NHSLC
DIVISION OF ENFORCEMENT & LICENSING AGENDA
FOR FRIDAY, APRIL 30, 2010

1. SUSPENSIONS:

- a. Action Pending:

None
- b. Licensees Suspended For Non-Payment of Fines:

None
- c. Licensees Suspended For Non-Compliance of RSA 178:2 (Mandatory training within 45 calendar days of the issuance of liquor license):

None

2. HEARINGS:

- a. Stinson Mountain Sports Bar & Grill, 27 Main Street, Rumney, NH.
Restaurant On-Premise Cocktail Lounge License #1262003.
Licensed pursuant to RSA 178:22.
Cited for violation of RSA 179:5, I - did sell or serve alcoholic beverage to an intoxicated person.
Cited for violation of RSA 179:50, I - allowed a person to loiter on the premises who was intoxicated or disorderly or who loitered for any illegal purpose.
Date of violations: July 31, 2009.
Case #: 09-651-OF.
HEARING SCHEDULED FOR 4/22/10 WAS POSTPONED; HEARING WILL BE CANCELLED IF LICENSEE SURRENDERS HER LICENSE BY APRIL 30, 2010.

3. WARNING LETTERS/FINES/SUSPENSIONS:

- a. Falcor Winery, 2035 Appollo Court, Napa, CA.
Direct Shipper Permit #8143633.
Licensed pursuant to RSA 178:27.
Cited for violation of RSA 178:27, V – failed to file a Direct Shipper Report by the 10th of the following month.
Date of violation: February 22, 2010.
Case #: 10-119-OF.
Recommendation: \$100 Administrative fine suspended twelve (12) months pending no like violation.
COMMISSION APPROVED.
- b. Mandarin Taste, 51 South Main Street, Plymouth, NH.
Restaurant On-Premise Cocktail Lounge License #1297103.
Licensed pursuant to RSA 178:22.
Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an underage person – 3 counts.
Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an intoxicated person – 2 counts.
Dates of violations: September 26, 2009, November 8, 2009 & November 15, 2009.
Case #: 09-866-OF, 10-151-OF & 09-937-OF.
Recommendation: Settlement reached for an administrative fine of \$1,500 with \$500 suspended for twelve (12) months pending no violation for service of alcohol to a minor or for over-service of alcohol, the license to sell alcohol in the cocktail lounge only shall be suspended for nine (9) days with six (6)

days held in abeyance for twelve (12) months pending no violation for service of alcohol to a minor or for over-service of alcohol commencing at 1:30 a.m. on May 9, 2010 with re-grant at 12:01 a.m. on May 12, 2010, eight (8) points shall be assessed to the liquor license; following re-grant of the liquor license on May 12, 2010, last call in the cocktail lounge only shall occur at 11:00 p.m. Monday through Thursday and at 10:00 p.m. Friday through Sunday; thirty (30) minutes after last call, all drinks must be removed from all areas including but not limited to tables and the bar and from all patrons effective for forty-five (45) days; at the end of this period, an evaluation conducted by the local Police Chief and a Liquor Investigator shall occur to determine whether any restriction(s) should be amended, following the initial evaluation and with approval of the local Police Chief and Liquor Investigator, hours of last call/removal of drinks shall be extended by one (1) hour for forty-five (45) days provided an evaluation as described above occurs beforehand; the Licensee shall contact the Liquor Investigator to schedule evaluations; and case 09-937-OF shall be not proessed as the Licensee has agreed to use an ID checking machine.

COMMISSION APPROVED.

- c. Sky Lounge, 522 Amherst Street, Nashua, NH.
Restaurant On-Premise Cocktail Lounge License #1323703.
Licensed pursuant to RSA 178:22.
Cited for violation of RSA 179:5, I - did sell or serve alcoholic beverage to an intoxicated person.
Date of violation: October 28-29, 2007.
Case #: 09-739-OF.
Recommendation: Settlement reached for an administrative fine of \$2,500 with \$1,000 suspended for twelve (12) months pending no like violation, four (4) points shall be assessed to the liquor license and the license to sell alcohol shall be suspended for ten (10) days with seven (7) days held in abeyance for twelve (12) months pending no like violation commencing May 4, 2010 with re-grant on May 7, 2010.

COMMISSION APPROVED.

4. NON-CONTESTED TITLE XIII VIOLATION FINES PAID IN FULL:

- a. Gold Club of Bedford, 390 South River Road, Bedford, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1397403.
Licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:53 – altered premises without Commission approval.
Date of violation: February 3, 2010.
Case #: 10-79-OF.
\$250 ADMINISTRATIVE FINE PAID.
COMMISSION APPROVED.
- b. Penuche's, 4 Canal Street, Nashua, NH.
Restaurant Beverage and Wine License #1040103.
Licensed pursuant to RSA 178:20.
Cited for violation of RSA 178:20, II – failed to have sufficient food available for service to 20 patrons, food was not prepared by licensee, and the licensee did not hold themselves out to the public as a place where meals were regularly prepared and served.
Date of violation: April 2, 2010.
Case #: 10-203-OF.
\$100 ADMINISTRATIVE FINE PAID.
COMMISSION APPROVED.
- c. Spinale's Brick Oven Pizzeria, 66 Washington Street, Rochester, NH.
Restaurant On-Premise Cocktail Lounge License #1312203.
Licensed pursuant to RSA 178:22.
Cited for violation of RSA 179:53 – altered premises without Commission approval.
Date of violation: April 1, 2010.
Case #: 10-209-OF.
\$250 ADMINISTRATIVE FINE PAID.
COMMISSION APPROVED.

5. **ALCOHOL/TOBACCO COMPLIANCE CHECKS SCHEDULED WITHIN NINETY (90) DAYS:**

Andover, NH;
Antrim, NH;
Barrington, NH;
Bennington, NH;
Boscawen, NH;
Bradford, NH;
Chichester, NH;
Conway, NH;
Deering, NH;
Dover, NH;
Durham, NH;
Epsom, NH;
Francestown, NH;
Franklin, NH;
Greenfield, NH;
Greenville, NH;
Hancock, NH;
Henniker, NH;
Hill, NH;
Hillsborough, NH;
Hopkinton, NH;
Keene, NH;
Litchfield, NH;
Loudon, NH;
Lyndeborough, NH;
Manchester, NH;
Mason, NH;
Merrimack, NH;
Middleton, NH;
Milford, NH;
Milton, NH;
Mont Vernon, NH;
New Boston, NH;
New Ipswich, NH;
Newbury, NH;
Peterborough, NH;
Pittsfield, NH;
Rochester, NH;
Salisbury, NH;
Sharon, NH;
Somersworth, NH;
Sutton, NH;
Temple, NH;
Warner, NH;
Weare, NH;
Webster, NH;
Wilmot, NH;
Wilton, NH;
Windsor, NH; and
Wolfeboro, NH.

COMMISSION APPROVED.

6. **ALCOHOL COMPLIANCE CHECKS:**

None

7. **TOBACCO COMPLIANCE CHECKS:**

None

8. **NEW LICENSES:**

- a. White Birch Markets LLC DBA White Birch Gluten-Free Market,
35 West Main Street, Hillsborough, NH 03244.
To be issued Combination Off-Premise Beverage/Wine License #3253947
pursuant to RSA 178:18.
Recommendation: Approval.
COMMISSION APPROVED.

9. **REQUESTS FOR SOLICITORS/REPRESENTATIVE AND DIRECT SHIPPER APPLICATION:**

- a. 150 Morello Family Ltd Partnership DBA Conrad Viano Winery,
150 Morello Avenue, Martinez, CA 94553.
To be issued Direct Shipper License #8169133 pursuant to RSA 178:27.
Recommendation: Approval.
COMMISSION APPROVED.
- b. Amity Vineyards, Inc.,
18150 Amity Vineyards Road, Amity, OR 97101.
To be issued Direct Shipper License #8168833 pursuant to RSA 178:27.
Recommendation: Approval.
COMMISSION APPROVED.
- c. Bavarian Lion Winery LLC,
498 Moore Lane Unit C, Healdsburg, CA 95448.
To be issued Direct Shipper License #8169833 pursuant to RSA 178:27.
Recommendation: Approval.
COMMISSION APPROVED.
- d. Bronco Wine Company, Inc.,
6342 Bystrum Road, Ceres, CA 95307.
To be issued Liquor and Wine Vendor License #999345 pursuant to RSA 178:9.
Recommendation: Approval.
COMMISSION APPROVED.
- e. Craft Beer Guild LLC,
22 Canal Street, Suites 238 & 242, Somersworth, NH 03878.
To be issued Wholesale Distributor License #283720 pursuant to RSA 178:16.
Recommendation: Approval.
COMMISSION APPROVED.
- f. Bill & Crolyn Holt DBA Sycamore Creek Vineyards & Winery,
12775 Uvas Road, Morgan Hill, CA 95037.
To be issued Direct Shipper License #8169633 pursuant to RSA 178:27.
Recommendation: Approval.
COMMISSION APPROVED.
- g. Leonhardt Vineyards LLC,
8500 Dry Creek Road, Geyserville, CA 95441.
To be issued Direct Shipper License #8169333 pursuant to RSA 178:27.
Recommendation: Approval.
COMMISSION APPROVED.

- h. Little Vineyards Family Winery LLC,
15188 Sonoma Highway, Glen Ellen, CA 95442.
To be issued Direct Shipper License #8169433 pursuant to RSA 178:27.
Recommendation: Approval.
COMMISSION APPROVED.
- i. Martha Clara Vineyards LLC,
6025 Sound Avenue, Riverhead, NY 11901.
To be issued Direct Shipper License #8169533 pursuant to RSA 178:27.
Recommendation: Approval.
COMMISSION APPROVED.
- j. David Nagengust DBA Cinquain Cellars,
6404 Independence Ranch, San Miguel, CA 93451.
To be issued Direct Shipper License #8169033 pursuant to RSA 178:27.
Recommendation: Approval.
COMMISSION APPROVED.
- k. Todd Pazier DBA Central Coast Gift Basket,
575 Dawson Street Suite C, Goleta, CA 93717.
To be issued Direct Shipper License #8168933 pursuant to RSA 178:27.
Recommendation: Approval.
COMMISSION APPROVED.
- l. Scott Cellars LLC,
2933 San Marcos Avenue, Los Olivos, CA 93441.
To be issued Direct Shipper License #8169733 pursuant to RSA 178:27.
Recommendation: Approval.
COMMISSION APPROVED.
- m. Takara Sake USA,
708 Addison Street, Berkeley, CA 94710.
To be issued Direct Shipper License #8169933 pursuant to RSA 178:27.
Recommendation: Approval.
COMMISSION APPROVED.
- n. Trana Winery LLC DBA Hope Family Wines,
4280 Secondwind Way, Paso Robles, CA 93446.
To be issued Direct Shipper License #8169233 pursuant to RSA 178:27.
Recommendation: Approval.
COMMISSION APPROVED.

10. REQUESTS FOR CANCELLATION OF PERMITS:

None

11. PETITIONS FOR COMMISSION APPROVAL:

- a. Bald Peak Colony Club, Inc.,
180 Bald Peak Drive, Moultonborough, NH 03254.
Sports Recreation Facility On-Premise Cocktail Lounge License #13605.
Licensed pursuant to RSA 178:22 V,(u).
Requests approval to use a Mobile Cart, to wit, a mobile cart to be used on the fairways for sales and service of alcohol pursuant to Liq. 206.10 (a)(1), Liq. 404.05 (a)(1) and Liq. 509.
Recommendation: Approval.
COMMISSION APPROVED.

- b. Michael J. Brazil, Jr. DBA Sweet Grass Trading Post,
107 Lehner Street, Wolfeboro, NH 03894.
Combination Off-Premise Beverage/Wine License #3235547.
Licensed pursuant to RSA 178:18.
Retail Tobacco License #791717.
Licensed pursuant to RSA 178:19a.
Requests approval for Authorization to Transfer business location, to wit, to close the current business and transfer the business and supplies from 107 Lehner Street, Wolfeboro, NH to the new location at 19 Elm Street, Wolfeboro Falls, NH pursuant to RSA 178:29, VIII.
Recommendation: Approval.
COMMISSION APPROVED.
- c. Fabiana-Lorena LLC DBA XO On Elm,
827 Elm Street, Manchester, NH 03101.
Restaurant On-Premise Beverage/Wine/Liquor License #1271903.
Licensed pursuant to RSA 178:21.
Requests approval for an outside area, to wit, an outside sidewalk area with a seating capacity of 10 sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Approval.
COMMISSION APPROVED.
- d. Flag Hill Enterprises, LTD DBA Flag Hill Winery & Distillery,
297 North River Road, Lee, NH 03861.
Caterer On Site Cocktail Lounge License #1275526.
Licensed pursuant to RSA 178:22, V(e).
Requests approval for two outside areas, to wit, a tented area with a capacity of 220 and the wedding archway area with a seating capacity of 220 sanctioned off appropriately pursuant to RSA 178:24 and Liq 404.05.
Recommendation: Approval.
COMMISSION APPROVED.
- e. Grist for the Mill LLC DBA The Mill Ice Cream Café & Fudge Factory,
2 Central Street, Bristol, NH 03222.
Restaurant On-Premise Beverage/Wine License #1395803.
Licensed pursuant to RSA 178:20.
Requests approval for an outside area, to wit, an outside porch area with a seating capacity of 10 sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Approval.
COMMISSION APPROVED.
- f. Monadnock Motor Sports, Inc. DBA Monadnock Motor Raceway,
Route 10, Winchester, NH 03470.
Restaurant On-Premise Beverage/Wine License #301103.
Licensed pursuant to RSA 178:20.
Requests approval for an outside area, to wit, an outside beer garden area with a seating capacity of 125 on May 16, June 6 & 20, July 11 & 25, August 8 & 22, September 5 & 26, October 3, 10 & 24, 2010 sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Approval.
COMMISSION APPROVED.
- g. Plausawa Valley Associates, Inc. DBA Plausawa Valley Country Club,
42 Whittemore Road, Pembroke, NH 03275.
Sports Recreation Facility On-Premise Cocktail Lounge License #6013105.
Licensed pursuant to RSA 178:22 V,(u).
Requests approval to use a Mobile Cart, to wit, a mobile cart to be used on the fairways for sales and service of alcohol pursuant to Liq. 206.10 (a)(1), Liq. 404.05 (a)(1) and Liq. 509.
Recommendation: Approval.
COMMISSION APPROVED.

- h. Plausawa Valley Associates, Inc. DBA Plausawa Valley Country Club,
42 Whittemore Road, Pembroke, NH 03275.
Sports Recreation Facility On-Premise Cocktail Lounge License #6013105.
Licensed pursuant to RSA 178:22 V,(u).
Requests approval for an outside area, to wit, an outside tented area with a seating capacity of 71
sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Approval.
COMMISSION APPROVED.
- i. Premier Getaway, Inc. DBA The Manor on Golden Pond,
31 Manor Drive, Holderness, NH 03245.
Hotel On-Premise Cocktail Lounge License #350302.
Licensed pursuant to RSA 178:22, V(k).
Requests approval for two outside areas, to wit, an outside tented area with a seating capacity of 220
and a pool area with a seating capacity of 100 sanctioned off appropriately pursuant to RSA 178:24
and Liq. 404.05.
Recommendation: Approval.
COMMISSION APPROVED.
- j. Ripalo LLC DBA Republic Café & Bistro,
1069 Elm Street, Manchester, NH 03101.
Restaurant On-Premise Beverage/Wine/Liquor License #1392603.
Licensed pursuant to RSA 178:21.
Requests approval for an outside area, to wit, an outside sidewalk area with a seating capacity of 10
sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Approval.
COMMISSION APPROVED.
- k. Sweet Baby Vineyard LLC,
204 South Road, Kensington, NH 03833.
Wine Manufacturer License #562430.
Licensed pursuant to RSA 178:8.
Requests approval for other areas, to wit, Seacoast Growers Association, City Hall Municipal Lot 2,
Jenkins Avenue, Portsmouth, NH on Saturdays from 8am to 1pm, May 1, 2010 through November 6,
2010; Newmarket Farmers Market, Stone Church, Newmarket, NH on Saturdays from May 16, 2010
through October 30, 2010; and Seacoast Growers Association Exeter Farmers Market, Swansey
Parkway, Exeter, NH on Thursdays from May 6, 2010 through October 28, 2010; Licensee will provide
adequate security for product pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Approval.
COMMISSION APPROVED.

12. COMMISSION DECISIONS PENDING:

None

13. COMMISSION DECISIONS AFTER HEARING:

None

14. MISCELLANEOUS ITEMS:

- a. 1-800wineshop.com, Inc.,
607 Airport Road, Napa, CA.
Direct Shipper Permit #8007233.
Licensed pursuant to RSA 178:27.
Requests to have their direct shipper permit re-instated.
Recommendation: Approval.
COMMISSION APPROVED.

- b. Flag Hill Enterprises, LTD DBA Flag Hill Winery & Distillery,
297 North River Road, Lee, NH 03861.
To be licensed as Caterer On Site Cocktail Lounge License #1275526
pursuant to RSA 178:22, V(e).
Requests permission for an exception to RSA 179:11, IV, V, and VI, prohibited interest for a liquor
manufacturer to hold an on-premise license.
Recommendation: Approval.
COMMISSION APPROVED.
- c. Golden Bamboo Palace Restaurant, 60 Main Street, Littleton, NH 03561.
Restaurant On-Premise Cocktail Lounge License #1323403.
Licensed pursuant to RSA 178:22.
Case #s: 09-702-OF, 09-836-OF, 10-82-OF, 10-127-OF & 10-128-OF.
SPECIAL TERMS AND CONDITION FOR LIQUOR LICENSE RENEWAL:
1. The Licensee shall pay an administrative fine of \$2,500 suspended for twelve (12) months pending
no like violation of RSA 179:5, I relative to over-service of alcohol;
2. The license to sell alcohol shall be suspended for ten (10) days held in abeyance for twelve (12)
months pending no like violation of RSA 179:5, I relative to over-service of alcohol;
3. Four (4) points shall be assessed to the liquor license;
4. Last call shall occur at 10:00 p.m. Monday through Sunday; thirty (30) minutes after last call, all
drinks shall be removed from all areas including but not limited to tables and the bar and from all
patrons effective for forty-five (45) days; at the end of this period, an evaluation conducted by the local
Police Chief and a Liquor Investigator shall occur to determine whether any restriction(s) should be
amended;
5. Following the initial evaluation, thirty (30) minute extensions for last call/removal of drinks as
indicated in #4 above may occur every forty-five (45) days provided an evaluation, as indicated in #4
above, is conducted; the Licensee shall contact the Liquor Investigator to schedule evaluations;
6. The Licensee shall immediately report all instances of disorderly conduct, violence, and/or liquor
license infractions to the local police department and to a Liquor Investigator;
7. Tribal or gang colors shall not be permitted on the premises; and
8. Violation of any of the above terms will result in the Licensee being called to a hearing before the
NH Liquor Commission.
COMMISSION APPROVED.
- d. North Heaven, 151 Main Street, Colebrook, NH 03576.
Restaurant On-Premise Cocktail Lounge License #1351703.
Licensed pursuant to RSA 178:22.
SPECIAL TERMS AND CONDITION FOR LIQUOR LICENSE RENEWAL:
1. Last call shall occur at 11:00 p.m. Monday through Sunday; thirty (30) minutes after last call, all
drinks must be removed from all areas including but not limited to tables and the bar and from all
patrons; these reduced hours shall be in effect for thirty (30) days; at the end of this period, an
evaluation conducted by the local Police Chief and a Liquor Investigator shall occur to determine
whether the hours of service should be amended;
2. Following the initial evaluation and with approval of the local Police Chief and Liquor Investigator,
hours of last call/removal of drinks as indicated in #1 above shall be extended by one (1) hour for thirty
(30) days provided an evaluation, as indicated in #1 above, occurs; extensions shall be granted
following satisfactory evaluations until full hours of service are restored;
3. The Licensee shall contact the Liquor Investigator to schedule all evaluations;
4. A \$1,000 Administrative fine shall be suspended for twelve (12) months pending no violation of
RSA 179:5 relative to the over-service of alcohol; and
5. A three (3) day suspension of liquor license shall be held in abeyance for twelve (12) months
pending no violation of RSA 179:5 relative to the over-service of alcohol.
COMMISSION APPROVED.

- e. O'Brien's II, Inc. DBA O'Briens II General Store,
856 Route, 1 Bay Pass North, Portsmouth, NH 03801.
Combination Off-Premise Beverage/Wine License #3129547.
Licensed pursuant to RSA 178:18.
Requests approval for a Felon Exception for Michelle Plaisted as a person in charge pursuant to
RSA 179:23 and Liq. 404.06(c).
Recommendation: Approval.
COMMISSION APPROVED.
- f. Weathervane Seafood, Inc.,
263 Plainfield Road, West Lebanon, NH 03784.
Restaurant On-Premise Cocktail Lounge License #296603.
Licensed pursuant to RSA 178:22.
Requests approval for a Felon Exception for Rachel Riendeau as an Assistant General Manager
pursuant to RSA 179:23 and Liq. 404.06(c).
Recommendation: Approval.
COMMISSION APPROVED.
- g. White Birch Brewing LLC,
1368 Hooksett Road Unit #6, Hooksett, NH 03106.
Beverage Manufacturer License #288718.
Licensed pursuant to RSA 178:12.
Requests approval for a specialty beer product above 6 percent alcohol by volume pursuant to
RSA 178:1, LXIV-a and RSA 178:40-a.
Recommendation: **DISCUSSION AND APPROVAL**
COMMISSION APPROVED.

15. **EXECUTIVE SESSION ITEMS:**

None